

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 are currently pending. Claims 1 and 10, which are independent, are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Support for this amendment is provided throughout the Specification. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 3, 10 and 12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,614,987 to Ismail, et al. (hereinafter, merely "Ismail") in view of WO 99/01984 to Maissel, et al. (hereinafter, merely "Maissel") and further in view of U.S. Patent No. 6,581,207 to Sumita, et al. (hereinafter, merely "Sumita").

Claims 2 and 11 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail, Sumita and Maissel as applied to claims 1 and 10, and further in view of Dunlop

(“The Effects of Accessing Non-matching Documents on Relevance Feedback”) and U.S. Patent No. 6,408,295 to Aggarwal, et al. (hereinafter, merely “Aggarwal”).

Claims 4-6 and 13-15 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail, Sumita and Maissel, as applied to claims 3 and 12, and further in view of U.S. Patent No. 6,005,561 to Hawkins, et al. (hereinafter, merely “Hawkins”).

Claims 7 and 16 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail, Sumita and Maissel as applied to claims 3 and 12, and further in view of U.S. Patent No. 6,457,010 to Eldering, et al. (hereinafter, merely “Eldering”) and further in view of U.S. Patent No. 6,185,360 to Inoue, et al. (hereinafter, merely “Inoue”).

Claims 8 and 17 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail, Sumita and Maissel as applied to claims 3 and 12, and further in view of U.S. Patent No. 6,266,664 to Russel-Falla, et al. (hereinafter, merely “Russel-Falla”) and still further in view of Inoue.

Claims 9 and 18 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail, Sumita and Maissel as applied to claims 1 and 10, and further in view of Eldering.

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“A broadcasting system comprising:

a broadcasting station for broadcasting digital content containing attribute information indicating an attribute thereof and an electronic program guide (EPG);...

wherein said controlling unit analyzes the attribute information vector for each of a plurality of user selected contents and then modifies the n-dimensional vector S that comprises user preference items by computing a new weight for each element of

the n-dimensional vector S as a function of each of the elements of each of the attribute information vectors of each of the plurality of user selected contents.” (Emphasis added)

As understood by Applicants, Ismail relates to a system for recording television programs for subsequent viewing by a user that includes a preference determination module which is responsive to attribute information associated with television programs viewed by the user. The preference determination module categorizes the attribute information in accordance with categorization parameters to generate recordation preference information, indicative of television program viewing preferences of the user.

As understood by Applicants, Maissel relates to a subscriber unit for use in a television system including a television network and transmitting apparatus for transmitting program schedule information, the subscriber unit including a receiving unit for receiving the program schedule information.

As understood by Applicants, Sumita relates to an information-filtering unit that is connected with a user's video equipment by a communications line and a program content analyzing section that analyzes the contents of broadcast programs. A collation evaluation section evaluates the similarity between the analyses and a user's profile stored in a profile storage section. A program selecting selection transmits the result of program selection to the video equipment in the form of time information.

Applicants submit that Ismail, Maissel, and Sumita, taken either alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of a broadcasting system wherein said controlling unit analyzes the attribute information vector for each of a plurality of user selected contents and then modifies the n-dimensional vector S that comprises user preference items by computing a new weight for each element of the n-dimensional vector S as a function of each of

the elements of each of the attribute information vectors of each of the plurality of user selected contents, as recited in claim 1.

Furthermore, Applicants submit that not only does the combination of Ismael, Maissel and Sumita fail to teach or suggest the claimed features, but the combination is improper because it lacks motivation. Applicants respectfully submit that the combination of Ismael, Maissel and Sumita is the result of improper hindsight using Applicants' claimed invention as a blueprint.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claim 10 is also believed to be patentable.

Therefore, Applicants submit that independent claims 1 and 10 are patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By



Thomas F. Presson
Reg. No. 41,442
(212) 588-0800